



MIZORAM INFORMATION COMMISSION
MINECO, KHATLA,
MIZORAM: AIZAWL

Case No: S.A. 204/2025-MIC

K. Lalhunmawia,
Peniel Veng, Hnahthial

...Appellant

Vs

1. Laltlanzovi Sailo,
SPIO & Deputy Director (Admn),
Land Revenue & Settlement Department (Dte & Dist.)

...Respondents

2. Beitlotha Nohro,
SPIO & Settlement Officer,
Land Revenue & Settlement Department (Lunglei)

3. V. Lalduhzuala,
former DAA & Director,
Land Revenue & Settlement Department (Dte & Dist.)

RTI application filed on	:	24.09.2024
SPIO replied on	:	24.10.2024
First appeal filed on	:	27.10.2024
DAA transferred the RTI application on	:	18.11.2024
Second Appeal dated	:	17.03.2025
Date of Hearing	:	03.04.2025 at 12:00 Noon
Date of Decision	:	03.04.2025

1. The appellant sought information as follows: -

“Please provide me with a photocopy of the land lease issued by your good office for what is known as HBSC Ground No. 1 Hnahthial located at Bazar Veng, Hnahthial under the jurisdiction of Hnahthial North II VC and also photocopy of all attachment files thereof. The GPS camera image of the said location is attached for your kind reference.

If you feel the above requested information does not pertain to your department, please follow the provisions of section 6(3) of the RTI Act, 2005.”

2. The SPIO furnished reply stating, *"Settlement Office, Lunglei ah record te transfer a nih tawh avangin i dilna te hi pek tur che kan nei lo a ni."*
3. Not satisfied with the reply received and action taken by the SPIO, the appellant preferred First Appeal. The DAA then transferred the RTI application to the SPIO & Settlement Officer, Lunglei District. As the appellant did not receive any reply from the Settlement Officer, Lunglei District, he preferred Second Appeal to MIC.
4. Summons were issued to the appellant and respondent(s) to appear before the Commission on 03.04.2025 (Thursday) at 12:00 Noon. As scheduled, hearing was held in hybrid mode wherein the SPIO & Deputy Director (Admn), Land Revenue & Settlement Department (LR&S) and the former DAA & Director, LR&S appeared in person while the appellant and the SPIO & Settlement Officer, LR&S, Lunglei appeared via Video Conferencing respectively.
5. In the hearing, the appellant narrated his grievances and stated that he had submitted 3 (three) RTI applications on the same issue and received replies for the first and third applications, and with regard to the present case, he received a reply from the SPIO & Deputy Director (Admn), LR&S, Aizawl on the 30th day from the date of submitting his RTI application mentioning that the required information had been transferred to the Settlement Officer, Lunglei and that the information is no longer available in their office. Since he did not receive any reply on the information sought from the Settlement Officer, Lunglei till date, he requested the Commission to help him get the required information as per the provisions of the RTI Act, 2005.
6. The respondent SPIO (said to be the custodian of the information sought) stated that they had furnished information on all the RTI applications submitted by the appellant and there is no pending case lying in the RTI portal.
7. After hearing both the parties, the Commission observed the following:
 - i. As per Section 6(3) of the RTI Act, 2005, the SPIO & Deputy Director (Admn), LR&S should have transferred the RTI application to the concerned SPIO within 5 (five) days from the date of receipt of the application rather than informing him that the information sought is no longer available in their office. Pi Laltlanzovi Sailo, SPIO & Deputy Director (Admn), LR&S is hereby informed to strictly adhere to the provisions laid down in the RTI Act, 2005 in future.

- ii. Being vested with quasi-judicial powers, the DAA should conduct hearing for every First Appeal received and inform the appellant of the date and time of hearing at least 7 (seven) clear days before that date as per Rule 5(a) of the Mizoram RTI Rules, 2010 instead of transferring the RTI application to the concerned SPIO. Pu V. Lalduhzuala, former DAA & Director, LR&S should keep this in mind so that such lapses do not occur in future.
- iii. The SPIO & Settlement Officer, Lunglei should have adequate knowledge of record management prevailing with the office and needs to be thorough with RTI cases received and disposed of by him. Pu Beitlotha Nohro is instructed to take RTI matters seriously and see that RTI cases received by him are disposed of within the stipulated period under Section 7(1) the RTI Act, 2005. He is also informed that an information shall ordinarily be provided in the form in which it is sought unless it would disproportionately divert the resources of the public authority or would be detrimental to the safety or preservation of the record in question.

DECISION:

In view of the above, **the Commission hereby directs that Pu Beitlotha Nohro, SPIO & Settlement Officer, Land Revenue & Settlement Department, Lunglei** shall give the required information in hard copy, free of cost and deliver it to the appellant's residence not later than 04.04.2025 (Friday) and submit compliance report to this Commission latest by 11.04.2025 (Friday).

The appeal is disposed of accordingly. Copy of decision to be given, free of cost, to all parties.


(MANGJANGAM TOUTHANG)

Information Commissioner
Mizoram Information Commission


(JOHN NEIHLAIA)

Chief Information Commissioner
Mizoram Information Commission

